

STATE COURT OF COBB COUNTY

Georgia, Cobb County

CASE NO: _____

Plaintiff

V

Defendant

Plaintiff's Attorney and address:

Address _____

TO: _____

Garnishee

Address _____

SUMMONS OF CONTINUING GARNISHMENT

YOU ARE HEREBY COMMANDED to hold immediately all property, money, wages, except what is exempt, belonging to the defendant, or debts owed to the defendant named above at the time of service of this summons and between the time of service of this summons to and including the one hundred seventy-ninth day thereafter. Not later than 45 days after you are served with this summons, you are commanded to file your answer in writing with the clerk of this court and serve a copy upon the plaintiff or his attorney named above. This answer shall state what property, money, and wages, except what is exempt, belonging to the defendant or debts owed to the defendant, you hold or owe at the time of service of this summons and between the time of such service and the time of making your first answer. Thereafter, you are required to file further answers no later than 45 days after your last answer. Every further answer shall state what property, money, and wages except what is exempt, belonging to the defendant or debts owed to the defendant, you hold or owe at and from the time of the last answer to the time of the current answer. The last answer required by this summons should be filed no later than the one hundred ninety-fifth day after you receive this summons. Money or other property admitted in an answer to be subject to continuing garnishment must be delivered to the court with your answers. Should you fail to file answers as required by this summons, a judgment will be rendered against you for the amount the plaintiff claims due by the defendant. **NOTE:** Any corporate party served must be represented by a licensed attorney at law. (See Eckles v. Atlanta Technology Group, 267 Ga. 801)

WITNESS THE HONORABLE JUDGES OF THIS COURT.

This _____, Clerk

(See Reverse Side for Important Instructions)

NOTICE TO DEFENDANT

1. \$ _____ is the amount claimed in the affidavit of garnishment.
2. _____ cost of this action.
3. A garnishment against the property and credit of the defendant has been or will be served on the above named garnishee.

Mail Completed Form To:

State Court of Cobb County
12 East Park Square
Marietta, GA 30090-9630
(770) 528-1218

ANSWER OF CONTINUING GARNISHMENT

1. From the time of this summons of continuing garnishment, if this is the first answer to such summons, otherwise from the time of the last answer to this summons of continuing garnishment, until the time of this answer, garnishee had in his possession the following described property by the defendant: _____
2. From the time of service of this summons of continuing garnishment, if this is the first answer to such summons, otherwise from the time of the last answer to this summons of continuing garnishment, until the time of this answer, all debts accruing from garnishee to the defendant are in the amount of \$ _____.
3. _____ of the amount named in paragraph 2 was wages earned at the rate of \$ _____ per _____ for the period beginning _____, _____, through the time of making this answer. The amount of wages subject to this garnishment is computed as follows:
\$ _____ Gross earnings
\$ _____ Total social security and withholding tax
\$ _____ Total disposable earnings
\$ _____ Amount of wages subject to continuing garnishment
4. ☐ If checked, defendant is not presently employed by this garnishee and if employed by garnishee on or after service of this summons of continuing garnishment was most recently terminated as of the _____ day of _____, _____.
5. ☐ If checked, this is the last answer this garnishee is required to file to the presently pending summons of continuing garnishment in the above-styled case.
6. Garnishee further states: _____

Signed _____

Garnishee

CERTIFICATE OF SERVICE

This is to certify that I have this day served plaintiff or his attorney in the foregoing matter with a copy of his answer by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This _____ day of _____, 20 ____.

Signed _____

Garnishee